

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOSEPH NEIL BRONSON, JR.,)	CASE NO. 4:20-cv-914
)	
)	
PETITIONER,)	JUDGE SARA LIOI
)	
vs.)	
)	MEMORANDUM OPINION AND
)	ORDER
MICHAEL CARVALJAL, et al.,)	
)	
)	
RESPONDENTS.)	

Petitioner Joseph Neil Bronson, Jr. (“Bronson”) is an inmate currently confined at the Federal Correctional Institution (“FCI”) Elkton with a projected release date of May 3, 2025. *See* <https://www.bop.gov/inmateloc/> (last visited 12-30-2020). On April 29, 2020, Bronson filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 seeking his immediate release from prison in light of circumstances surrounding the COVID-19 pandemic. (Doc. No. 1 [“Pet.”].) On May 1, 2020, the Court dismissed the petition without prejudice, based upon Bronson’s allegations in the petition that he had not exhausted his administrative remedies relative to the issues raised therein. (Doc. No. 4 (Memorandum Opinion and Order [“MOO”]) at 44, citing Pet. at 4.)

Presently before the Court is Bronson’s motion styled, “Emergency Motion for Injunctive Relief through Re-opening of a Previous Civil Matter.” (Doc. No. 5 [“Mot.”].) In the present motion, Bronson asserts that the associate wardens of his facility recently locked down the multi-purpose rooms after a guard found “hooch” in one of the common rooms. (Mot. at 49.) He

suggests that the temporary closure of these rooms, which is expected to extend into the middle of January 2021, was retaliatory in nature. He complains that, unless the Court orders that these rooms be immediately reopened, inmates will “not be able to participate in religious matters over the Christmas holiday.” (*Id.*) On the subject of exhaustion, Bronson represents that, “The Petitioner has since filed many administrative remedy requests on various issues. All of which have been completely ignored. Staff refuses to respond to many different matters and the current matter is time sensitive.” (*Id.* at 48.)

To the extent that the motion seeks an order requiring the multi-purpose rooms to be reopened for Christmas, the motion is DENIED AS MOOT inasmuch as the Christmas holiday has passed. To the extent the present motion can be interpreted as a request to reopen the original habeas petition, the motion is DENIED WITHOUT PREJUDICE. It is unclear from Bronson’s motion whether any of his past administrative requests relating to “various issues” addressed the issues raised in the original petition, or whether those issues were fully exhausted. Given Bronson’s own assertions that he had not exhausted the issues in the original petition at the time he filed the present habeas action, the allegations in his emergency motion cannot support a reopening of the underlying habeas petition at this time.

IT IS SO ORDERED.

Dated: January 5, 2021



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE